

FILED

MAY 11 2010

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY DEPUTY CLERK

1 Manuel Wilson "PROSE"
2 6433 Village Center Dr. Apt 207
3 Sacramento CA 95823
4 916-222-6947

5
6 IN THE UNITED STATES DISTRICT
7 COURT OF CALIFORNIA

8 Manuel Wilson
9 Plaintiff,

210-CV-115-LMK KM

10 vs

11 Defendants in Complaint, Washington University School of Medicine and
12 Defendants)
13 A pryle Cotton
14 complaint

15 On 01/22/08 I was discharged, I had been
16 assigned to work for Respondent through, Allied
17 Barton Security Services LLC, The stated reason for
18 the discharge was that the position had to be
19 filled. I was off work 54 days due to my disability.
20 I believe that my position could have been
21 covered these days rather than discharging me.
22 I believe I was discharged due to my disability.

23 As remedy I seek back pay and whatever
24 else the court deems just and proper.
25
26

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974; see Privacy Act Statement before completing this form.

CHARGE NUMBER

☒ FEPA E-0568-33472
☐ EEOC 28E-2008-01395
MISSOURI COMMISSION ON HUMAN RIGHTS AND EEOC

NAME Manuel Wilson	Date of Birth 02/03/51	HOME TELEPHONE NO. 314-869-1456
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ADDRESS 720 Benvenue Ave.	City, State and Zip Code St. Louis, MO. 63137	County
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NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP, COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below).

NAME Washington University	NUMBER OF EMPLOYEES, MEMBERS 15+	TELEPHONE NUMBER (Include Area Code)
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STREET ADDRESS 4550 Scott Ave.	CITY, STATE AND ZIP CODE St. Louis, MO. 63110	County
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NAME	TELEPHONE NUMBER (Include Area Code)
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STREET ADDRESS	CITY, STATE AND ZIP CODE	County
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CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

☐ RACE ☐ COLOR ☐ SEX ☐ RELIGION
☐ NATIONAL ORIGIN ☐ RETALIATION ☐ AGE
☒ DISABILITY ☐ ANCESTRY ☐ OTHER (Specify)

DATE DISCRIMINATION TOOK PLACE (Month, day, year)

01/22/08

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):

- I. On 01/22/08 I was discharged. I had been assigned to work for Respondent through, Alliedbarton Security Services, LLC. The stated reason for the discharged was that the position had to be filled. I was off work six days due to my disability. I believe that my position could have been covered these days rather than discharging me. I believe that I was discharged due to my disability.

- II. As remedy I seek back pay and whatever else the Commission deems just and proper.

☒ I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - (When necessary to meet State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Charging Party (Signature) *Manuel Wilson* 3/21/08
 (Date)

Signature OF COMPLAINANT

BEFORE ME THIS DATE

(Day, month and year)

SUBSCRIBED AND SWORN TO

FILED

MAY 19 2008

PAUL JOSEPH MARTIN
 Notary Public - Notary Seal
 State of Missouri
 St. Louis County
 My Commission Expires Sept 29, 2010
 Commission # 06420647

MISSOURI COMMISSION
ON HUMAN RIGHTS

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Manuel Wilson**
720 Benvenue Avenue
Saint Louis, MO 63137

From: **St. Louis District Office**
Robert A. Young Bldg
1222 Spruce St, Rm 8.100
Saint Louis, MO 63103



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

28E-2008-01395

Joseph J. Wilson,
Investigator

(314) 539-7816

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Joseph J. Wilson

James R. Neely, Jr.,
Director

FEB 18 2009

Enclosures(s)

(Date Mailed)

cc: **Apryle Cotton**
WASHINGTON UNIVERSITY SCHOOL OF MED
4480 Clayton Avenue
Saint Louis, MO 63110

**INFORMATION RELATED TO FILING SUIT
UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court under Federal law.
If you also plan to sue claiming violations of State law, please be aware that time limits and other
provisions of State law may be shorter or more limited than those described below.)*

**PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),
or the Age Discrimination in Employment Act (ADEA):**

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge **within 90 days of the date you receive this Notice**. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed **within 90 days of the date this Notice was mailed to you** (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred **more than 2 years (3 years) before you file suit** may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/00 to 12/1/00, you should file suit **before 7/1/02** -- not 12/1/02 -- in order to recover unpaid wages due for July 2000. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

ATTORNEY REPRESENTATION -- Title VII and the ADA:

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice, if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. **If you need help in finding a lawyer, you may call (314) 539-7911 in St. Louis, (913) 551-6614 in Kansas City, or (405) 231-5349 in Oklahoma City.** If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly **in writing** and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.